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1 specification, page 116, line 22 through page 117, line 5. Accordingly, the
2 Office's rejection is traversed.

3 4 **§ 102 Rejections**

5 Claims 13-15, 18-19, 22-23, 25, 27-28, 30-31, 34-40, and 42 stand
6 rejected under 35 U.S.C. § 102(a) as being anticipated by "Image Based
7 Installation of the Operating System and the Cluster Service Using
8 Automated Deployment Services (ADS)", January 1, 2003, Microsoft
9 TechNet (hereinafter "ADS").

10 11 **§ 103 Rejections**

12 Claims 1-2, 4-5, 7-12, 20-21, 26, 29, and 43 stand rejected under
13 §103(a) as being obvious under ADS in view of "Lab: Automated
14 Deployment Services", June 23, 2003. (hereinafter "LAB").

15 Claims 3 and 6 stand rejected under §103(a) as being obvious under
16 ADS in view of LAB and further in view of "Complete Pre-Upgrade
17 Tasks", March 23, 2003, Microsoft TechNet. (hereinafter "CPUT").

18 Claims 16, 17, 24, 32, 33 and 41 stand rejected under §103(a) as
19 being obvious under ADS in view of CPUT.

20 21 **The ADS Reference**

22 In making out the rejection of claims 1-43, the Office uses ADS as
23 the primary reference. Applicant submits that the content of ADS is
24 attributable to the inventors of the current application. In § 2132.01 of the
25 MPEP under the heading "APPLICANT CAN REBUT *PRIMA FACIE*

1 CASE BY SHOWING REFERENCE'S DISCLOSURE WAS DERIVED
2 FROM APPLICANT'S OWN WORK", this section instructs that a
3 rejection can be "overcome by submission of a specific declaration by
4 the applicant establishing that the article is describing applicant's own
5 work. *In re Katz*, 687 F.2d 450, 215 USPQ 14 (CCPA 1982)."

6 Accordingly, Applicant submits herewith a specific declaration that
7 establishes that the ADS reference describes Applicant's own work. In
8 light of this declaration, the ADS reference is removed as a reference.

9 Accordingly, claims 1-43 are allowable.

10 11 Conclusion

12 All of the claims are in condition for allowance. Accordingly,
13 Applicant requests a Notice of Allowability be issued forthwith. If the
14 Office's next anticipated action is to be anything other than issuance of a
15 Notice of Allowability, Applicant respectfully requests a telephone call for
16 the purpose of scheduling an interview.

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19 Respectfully submitted,

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21 Dated: 2/14/2007

22 By: /Lance R. Sadler/
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